

## **EXHIBIT 1-H**

**Ex. H to Plaintiff's Motion to Extend filed 8-19-20**

## New iMessage

Cancel

To: \*\*\* Justin Scott Gilbert Nashville \*\*\* Ch...

OK. Let me work my magic

Mon, May 11, 12:34 PM

When is your brief due to mediator?

Three days before

Mon, May 11, 3:08 PM

Ok

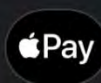
Thu, May 14, 8:29 AM

Out today, avg ophthalmology pay \$378k, that's not including if I had sub-specialized (retina, glaucoma, ocular oncology)

ophthalmology	\$378K
ophthalmology	\$377K
ophthalmology	\$364K
ophthalmology	\$357K
ophthalmology	\$355K



iMessage



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

[Redacted]

Apr 1, 2019, 1:13 PM

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



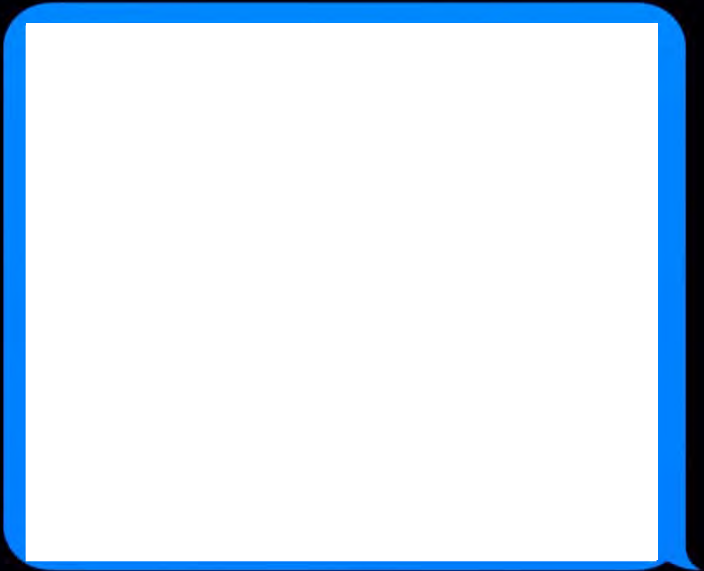
iMessage



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*



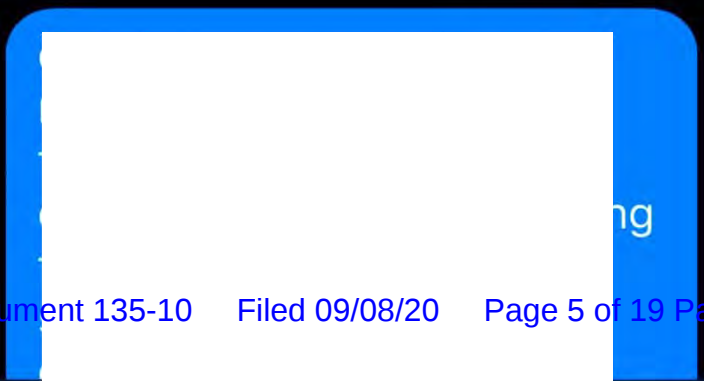
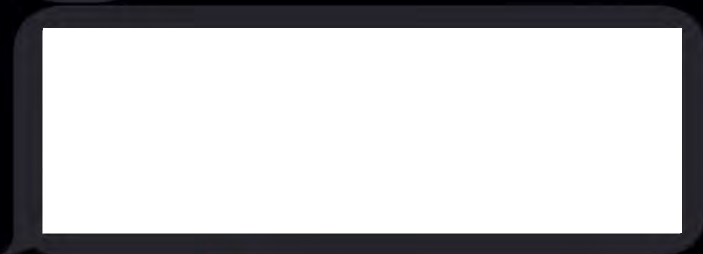
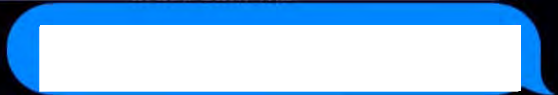
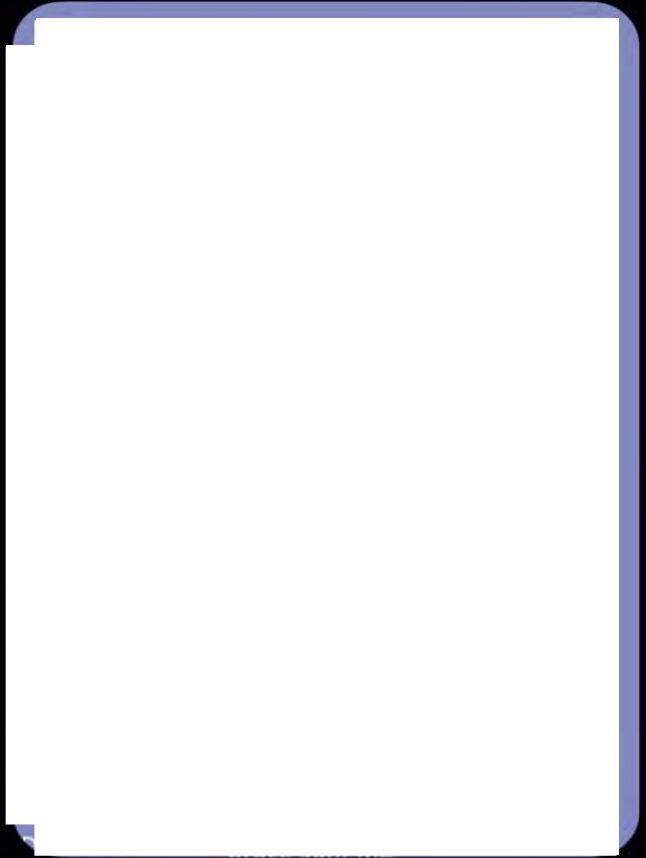
iMessage



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

Yes

How would you calculate your monetary loss? Are you making more now than you would've been?

definitely not even close. I make base 150k now before tax. Attending general ophthalmology salary (Ignoring that I was planning to subspecialize) is 348k per quick search and photo here.



Salary for Physician - Ophthalmology in New York, NY | Salary.com  
www1.salary.com

compensation opportunity  
for a Physician -  
Ophthalmology, base salary  
plus other pay elements

Average Base Salary

Core compensation



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

compensation opportunity  
for a Physician -  
Ophthalmology, base salary  
plus other pay elements

**Average Base Salary**

Core compensation

\$293 k

\$354.5 k

\$416

**\$348,010**

**\$292,538**

**\$398,101**

**Average Total Compensation**

Includes bonus, healthcare, and retirement

**\$352,372**

What is it in TN?

**Step 1 of 3**

Understand the total  
compensation opportunity  
for a Physician -  
Ophthalmology, base salary  
plus other pay elements

**Average Base Salary**

Core compensation

\$224 k

\$271.5 k

\$319

**\$266,530**

\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

What is it in TN?

Step 1 of 3

Understand the total compensation opportunity for a Physician - Ophthalmology, base salary plus other pay elements

Average Base Salary

Core compensation



Average Total Compensation

Includes bonus, healthcare, and retirement

Avg 267k, high is 305k

in all honesty to you, I was no planning on living in TN

Only came there to spend time with my dad, who was there and sick



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Apr 1, 2019, 3:36 PM

\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

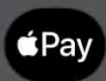


Omg guess what I finally found,  
it's a starting point at least that  
addresses point of this being  
more of a comprehensive  
evaluation of milk contenders  
from different stores

All Practice			
Group	Mean	Std Dev	10th %tile
oup			
unt			
06	\$266.004	\$167.001	\$100.074



iMessage



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

Omg guess what I finally found, it's a starting point at least that addresses point of this being more of a comprehensive evaluation of milk contenders from different stores

All Practice									
oup	unt	Mean	Std Dev	10th %tile					
		358	106	\$411,327	\$203,362	\$180,398	\$268,652	\$374,201	\$49
y: Corneal Surgery	7	3	*	*	*	*	*	*	*
y:	3	3	*	*	*	*	*	*	*
y:	1	1	*	*	*	*	*	*	*
y: and Recon	5	3	*	*	*	*	*	*	*
y: Retina	21	10	\$710,619	\$308,620	\$433,479	\$473,951	\$603,539	\$91	
onsurgical)	56	41	\$375,560	\$201,983	\$145,114	\$203,352	\$318,575	\$53	
urgery:	985	243	\$620,991	\$311,360	\$299,670	\$424,932	\$568,319	\$74	

This is 2015 based on 2014 data

From MGMA annual provider compensation report in 2015 on 2014 data



iMessage





Ophthalmology	358	106	\$411,327	\$203,362	\$180,398	\$268,652	\$374,201	\$495,338	\$673,493
Ophthalmology: Corneal and Refractive Surgery	7	3	*	*	*	*	*	*	*
Ophthalmology: Glaucoma	3	3	*	*	*	*	*	*	*
Ophthalmology: Neurology	1	1	*	*	*	*	*	*	*
Ophthalmology: Oculoplastic and Recon Surgery	5	3	*	*	*	*	*	*	*
Ophthalmology: Retina	21	10	\$710,619	\$308,620	\$433,479	\$473,951	\$603,539	\$916,539	\$1,228,962
Orthopedic (Nonsurgical)	56	41	\$375,560	\$201,983	\$145,114	\$203,352	\$318,575	\$538,773	\$682,633
Orthopedic Surgery: General	985	243	\$620,991	\$311,360	\$299,670	\$424,932	\$568,319	\$744,342	\$1,002,510

Copy



Save



More...





\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

This is 2015 based on 2014 data

From MGMA annual provider compensation report in 2015 on 2014 data

Wed, May 27, 10:34 AM

In front of a computer with internet and got 5 minutes?

I will be in 15 minutes if you want to send it to me

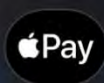
It has some proprietary stuff in it so it's password locked, I can walk you through it when you call but if you click link I just sent, should take you to the google sheet

I have call at 11 but call me anytime before

I have a little time to mess with



iMessage





\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

It has some proprietary stuff in it so it's password locked, I can walk you through it when you call but if you click link I just sent, should take you to the google sheet

I have call at 11 but call me anytime before

I have a little time to mess with technology so if you can take a picture of it and text it to me I can look at it. Otherwise, I will call.

I tried to make it user friendly, so just click link and will prompt you for password. Call me then

Procedure	118	66	\$247,371	\$91,595	\$162,376	\$189,028	\$224,525	\$234,188	\$369,601
Occupational Medicine	358	106	\$411,327	\$203,362	\$180,396	\$266,652	\$374,201	\$495,338	\$673,493
Ophthalmology: Corneal and Refractive Surgery	7	3	*	*	*	*	*	*	*
Ophthalmology: Glaucoma	3	3	*	*	*	*	*	*	*
Ophthalmology: Neurology	1	1	*	*	*	*	*	*	*
Ophthalmology: Oculoplastic and Recon Surgery	5	3	*	*	*	*	*	*	*
Ophthalmology: Retina	21	10	\$710,619	\$308,620	\$433,479	\$473,951	\$603,539	\$916,539	\$1,228,962
Orthopedic (Nonsurgical)	56	41	\$375,560	\$201,983	\$145,114	\$203,352	\$318,575	\$538,773	\$662,633
Orthopedic Surgery: General	985	243	\$620,901	\$311,360	\$299,670	\$424,932	\$566,319	\$744,342	\$1,002,510
Orthopedic Surgery: Foot and Ankle	78	48	\$535,320	\$194,876	\$302,198	\$381,987	\$507,942	\$678,223	\$821,606
Orthopedic Surgery: Hand	169	93	\$584,717	\$257,163	\$299,447	\$394,679	\$139,050	\$724,591	\$970,701
Orthopedic Surgery: Hip and Joint	151	77	\$672,285	\$315,681	\$291,708	\$492,008	\$616,830	\$824,252	\$1,116,691
Orthopedic Surgery: Oncology	4	3	*	*	*	*	*	*	*
Orthopedic Surgery:									



iMessage



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

Occupational Medicine	118	66	\$247,371	\$91,995	\$162,376	\$189,830	\$224,505	\$234,188	\$369,601
Ophthalmology: Corneal and Refractive Surgery	358	106	\$411,327	\$203,362	\$100,398	\$268,652	\$374,201	\$485,339	\$673,493
Ophthalmology: Glaucoma	3	3	*	*	*	*	*	*	*
Ophthalmology: Neurology	1	1	*	*	*	*	*	*	*
Ophthalmology: Oculoplastic and Recon Surgery	5	3	*	*	*	*	*	*	*
Ophthalmology: Retina	21	10	\$710,619	\$308,620	\$433,479	\$473,951	\$603,539	\$916,539	\$1,228,962
Orthopedic (Nonsurgical)	56	41	\$375,560	\$201,983	\$145,114	\$203,352	\$318,575	\$538,773	\$682,633
Orthopedic Surgery: General	965	243	\$620,991	\$311,360	\$298,670	\$404,932	\$568,319	\$744,342	\$1,002,510
Orthopedic Surgery: Foot and Ankle	78	48	\$535,320	\$194,876	\$302,598	\$381,987	\$507,942	\$678,223	\$821,686
Orthopedic Surgery: Hand	169	93	\$584,717	\$257,163	\$298,407	\$384,679	\$539,050	\$724,591	\$893,701
Orthopedic Surgery: Hip and Joint	151	77	\$672,285	\$315,661	\$291,768	\$492,008	\$616,830	\$804,252	\$1,116,691
Orthopedic Surgery: Orthopedic (Surgical)	4	3	*	*	*	*	*	*	*
Orthopedic Surgery: Shoulder/Elbow	10	13	\$654,048	\$283,121	\$255,208	\$406,140	\$625,683	\$848,904	\$1,131,165
Orthopedic Surgery: Spine	132	73	\$803,103	\$426,716	\$316,303	\$530,610	\$736,210	\$930,609	\$1,373,387
Orthopedic Surgery: Trauma	83	37	\$644,144	\$251,916	\$288,259	\$483,773	\$641,543	\$778,280	\$921,900
Orthopedic Surgery: Sports Medicine	216	87	\$679,750	\$310,332	\$337,341	\$471,579	\$606,307	\$815,035	\$1,104,664
Otolaryngology	573	183	\$455,038	\$210,233	\$246,756	\$311,685	\$405,593	\$596,488	\$798,273
Pain Management: Neuroanesthesia	62	17	\$495,703	\$231,844	\$234,659	\$279,208	\$354,250	\$523,895	\$692,243
Pathology: Anatomic and Clinical	194	31	\$496,994	\$140,129	\$283,621	\$328,930	\$396,096	\$447,084	\$682,875
Pathology: Anatomic	49	11	\$361,049	\$161,880	\$202,238	\$241,020	\$348,179	\$440,003	\$608,334
Pathology: Anatomic	2	2	*	*	*	*	*	*	*

I see the \$710,619 figure.  
Where did you get the  
\$768,000 figure you used in  
your Excel sheet?



iMessage







Reproductive Medicine	76	66	\$297,371	\$31,585	\$162,210	\$169,650	\$224,323	\$278,768	\$369,697
Ophthalmology	358	106	\$411,327	\$203,362	\$180,398	\$268,652	\$374,201	\$495,338	\$673,493
Ophthalmology: Corneal and Refractive Surgery	7	3	*	*	*	*	*	*	*
Ophthalmology: Glaucoma	3	3	*	*	*	*	*	*	*
Ophthalmology: Neurology	1	1	*	*	*	*	*	*	*
Ophthalmology: Oculoplastic and Recon Surgery	5	3	*	*	*	*	*	*	*
Ophthalmology: Retina	21	10	\$710,619	\$306,620	\$435,429	\$473,951	\$605,538	\$916,338	\$1,228,962
Orthopedic (Nonsurgical)	56	41	\$375,560	\$201,983	\$145,114	\$235,252	\$318,575	\$538,773	\$682,633
Orthopedic Surgery: General	365	243	\$620,991	\$311,360	\$236,670	\$424,932	\$566,319	\$744,942	\$1,002,510
Orthopedic Surgery: Foot and Ankle	78	48	\$535,320	\$194,876	\$302,596	\$301,587	\$507,942	\$678,223	\$821,888
Orthopedic Surgery: Hand	169	95	\$594,717	\$257,163	\$246,447	\$384,670	\$539,350	\$724,591	\$970,201
Orthopedic Surgery: Hip and Joint	151	77	\$672,235	\$315,681	\$291,766	\$453,006	\$616,830	\$824,252	\$1,116,697
Orthopedic Surgery: Oncology	4	3	*	*	*	*	*	*	*
Orthopedic Surgery: Shoulder/Elbow	18	13	\$654,048	\$293,121	\$255,208	\$436,140	\$625,683	\$846,924	\$1,131,865
Orthopedic Surgery: Spine	132	73	\$803,103	\$426,716	\$316,303	\$528,810	\$736,710	\$990,609	\$1,375,387
Orthopedic Surgery: Trauma	63	37	\$644,164	\$251,916	\$288,709	\$465,773	\$641,540	\$778,295	\$921,900
Orthopedic Surgery: Sports Medicine	216	87	\$675,750	\$310,342	\$187,161	\$471,573	\$606,307	\$815,005	\$1,104,864
Otolaryngology	173	183	\$455,008	\$210,223	\$246,796	\$311,065	\$449,501	\$596,488	\$738,273
Pain Management: Noninfectious	62	37	\$468,763	\$231,044	\$234,039	\$275,206	\$364,230	\$483,095	\$626,243
Radiology: Anatomic and Clinical	194	115	\$488,584	\$140,179	\$783,623	\$928,900	\$368,056	\$447,084	\$682,815
Radiology: Anatomic	49	11	\$361,260	\$58,869	\$205,216	\$241,222	\$240,173	\$410,000	\$638,214

Copy



Save



More...



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

[Redacted]

[Redacted]

[Redacted]

SINGH MODEL DAMAGES	
1. RETINA SPECIALIST	
\$710,000 Retina Specialist <sup>a</sup>	
\$183,000	
<hr/>	
\$527,000	Annual Mitigated Loss Beginning 2020
2. OPHTHALMOLOGIST	
\$468,000 <sup>a</sup>	
-\$183,00	
<hr/>	
\$280,000	Annual Mitigated Loss Beginning 2018



\*\*\* Justin Scott

Cancel

To: \*\*\* Justin Scott Gilbert \*\*\*

## SINGH MODEL DAMAGES

## 1. RETINA SPECIALIST

\$710,000 Retina Specialist<sup>1</sup>

\$183,000

\$527,000 Annual Mitigated Loss Beginning 2020

## 2. OPHTHALMOLOGIST

\$468,000<sup>2</sup>

-\$183,00

\$280,000 Annual Mitigated Loss Beginning 2018

<sup>1</sup> Using Data from MGMA showing Ophthalmology Retina, no inflation, p. 3  
<sup>2</sup> Using Medscape Data.

Without the inflation on retina...

Correct

I just called my boss of boss and asked him among associates what percentile am I and he said top 10%. I already knew that because market associate job in nyc avg pays



iMessage







### SINGH MODEL DAMAGES

#### 1. RETINA SPECIALIST

\$710,000 Retina Specialist<sup>1</sup>

\$183,000

---

\$527,000 Annual Mitigated Loss Beginning 2020

#### 2. OPHTHALMOLOGIST

\$468,000<sup>2</sup>

-\$183,00

---

\$280,000 Annual Mitigated Loss Beginning 2018

---

<sup>1</sup> Using Data from MGMA showing Ophthalmology Retina, no inflation, p. 3  
<sup>2</sup> Using Medscape Data.

Copy



Save



More...

